App F IX 4

1953-54 (CH)

File No 53-53-

Previous References
CH Sep/NO 258/53

Serial Nos 9, 20, 21, 22

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos 4

P 26(F)

Part B for May 1954

SUBJECT

Renaming Mavalli circle as Patel Kempiah Circle"

WD 01425—GPB—25 000—15-9 1952

To,

The Commissioner
Corporation of the City of Bangalore
CH L 3128/Dated 24.5.54

Communicates an observation

3895/ml

Renaming Mavalli circle as part Kempnah Circle

Proceedings of the Commissioner Bangalore Corporation No ASPR/27/53-54 dt 9.9.53

Forwarding a detailed Report on the Subject

There was a petition from the Residents of Mavalli protesting against changing the name of this circle which was forwarded to the Commissioner, CCB, for disposal vide his No L 4688 (Cy Dep 258/53 Pattap) dated 22-7-53. The Commissioner has now submitted a Report to Govt on the basis of which petition has not been referred for Reference.

2) Draft letter to the Commissioner CCB regarding to return the original petition with his remarks for disposal or other orders

Issued

No 13/X-[illegible] the Commissioner, CCB

Reference his No L 8682 dt 10.8.53 returning herewith the petition and requesting to return the original petition for disposal

Sec A 22/10/53

Sec 24/X

Renaming Mavalli circle as patil Kempanna circle 3895/re 5920/re

4) Draft Memorandum is put up for approval
Eng/3/12/1

5) Issue
Sec 20/1/54

R 880 L 13568 /20-1-54

6) Memorandum is put up for approval
Eng/3 As ordered

7) Issue
Sec 10/3

L 16757 dt 15-3-54

8) Memorandum is put up
Eng/4

9) Issue
Sec 27/4

RNOL 1053 /27-4-54

From
The Commissioner, CCB
No ASPR 127/53-54 dt 4/5/54
Relating to original petition
~~Memorandum to alteration~~ Called

10) for
The Commissioner's Report placed
is for perusal the Corporation at
the meeting held on 28.4.54
has resolved to change the name of
Mavalli circle where the ornamental fountain
and parks are to be Constructed

Changing the name of Mavalli Circle 3

Mysore Government Secretariat

File No 920 of 1954-55

[App F III 2

Serial No

at a Cost of Rs 5000/ as 'patel Kempahs Circle' after the name of the donor of the above amount There has also been a petition Signed by about 100 Residents of Mavalli protesting against the Change of name On receipt of this objection the Commissioner has sought Sanction of the Council of Corpn already cs for orders

Cy 7/5/54

Env 7/5

11

This is a case of changing the name of Mavalli Circle to that of Patel Kempiah Circle ~~who~~ Sri Kempaiah is said to have donted a sum of Rs 5,000/- for constructing a "sprouting water fountain" and for improving the Circle The Corporation at their meeting held on 28-4-52 accepted the recommendation of the Standing Committee and commenced the work of improving the Circle The Commissioner, Corporation, has stated as follows -

"As per provisions of section 238 of the Corporation Act, the Corporation "shall give names or numbers to new public streets and may subject to the approval of Government alter the name or number of any public street" In this case as the change of the name refers only to a circle and not to any street no reference was made to Government to obtain the approval But since a representation against the changing of the circle from nearby 100 signatures was made to Government, who have forwarded the same

Note — Contn Sheet

Serial No

to me for disposal under their number No L 46888 dated 22nd July 1953, I request that the Government may be pleased to approve the resolution of the Corporation dated 28th April 1952 As soon as the entire work is finished and the approval of the Government obtained, the name board will be put in the Circle "

Thus the Corporation requests Government to approve the resolution of the Corporation to change the name of the circle It is also clear from section 238 of the Corporation Act that the Corporation may subject to the approval of Government alter the name or number of any public street, that is to say though the Corporation has got powers to give name or number to new public streets, yet it has no power to change the name or number of any old public street, without getting the approval of Government In this case the Commissioner has made a distniction that it was a Circle and therefore sanction of Government was not obtained The words "public street" have been clearly defined as follows -

"Public street" means any street, road, square, court, alley, passage or riding-path over which the public have a right of way whether a thoroughfare or not and includes -

(a) the roadway over any public bridge or causeway,
(b) the foot-way attached to any such street, public bridge or causeway etc "

The word "square" in this definition can be taken to include a circle which serves the purpose of a square Therefore to change the name of any old circle or square

W P (SC1—G1 B—60 000—22 1 54

Renaming North Circle as Patel Kempiah Circle

Serial No

sanction of Government is necessary

In the present case, the Corporation have already put up the ~~name of the donor~~ changed name Board in that circle and the ceremony was also performed under the chairmanship of the Mayor and now orders of Government are solicted, after the whole function is over This is a case in which the Corporation have encroached upon the powers of Government and they have already done everything to close the whole question at issue It is now left to Government either to approve the action taken by the Corporation or to reject the proposal, because Government have got powers to reject the proposal under section 238 of the Corporation Act

In a similar case in which the name of Kumbarpet was changed to that of Kodagi Channarayappa Street, the parties approached the Court of law and got the name stone removed because Government had not given approval to change the old name There were also protests in that case Therefore it is ~~now for~~ open to Government either to approve the action of the Corporation or to reject the proposal and retain the old name "Mavalli Circle" which shows the existance of the village "Mavalli" closely

This is a clear case in which the corpn has encroached upon the powers of Govt

Secy dept)

It would have been

8 MAY 1954

12

ite—Contn Sheet

Karanja Revenue Circle as part Kempal Circle

File No 920/54 b of 195

Mysore Government Secretariat

Serial No

letter of the Corporation had sought for prior approval of Govt as required by law. Since we are faced with a fait accompli, the action taken may be approved. But an observation will be communicated about the wrong procedure adopted.

GO to Rao
9/5

Minister

D) 17/5/54

18/5

15/5

OFFICE OF THE MINISTER FOR PUBLIC WORKS, POWER AND SELF
C
11 MAY
No 759

14) Draft GO as for approval
20/5
8/20/5

15) Issue
26/5

GO to Commissioner CCB
" D-C Bangalore
" Controller S&D

L 2077-9/54 S3 S3-21 & 28/5/54
Approved

WD 04661—GPB—60 000—22-1 54

Renaming Kavalu Circle as Patel Kempaiah Circle

Mysore Government Secretariat | 720/se File No. of 195 | [App F III 2

Serial No. 1

Resubmitted w.r.t. draft & place for approval or other orders

29/5/54

Sec 29/5

A detailed letter stating that the Corpn. should not anticipate appl. sent in matters in which Govt. have discretion to pass orders and take action in anticipation of approval. The tendency may have to discouraged. Incorporate the arguments in Para II and draft a paste letter for appl. of the Secy

31/5

Draft draft letter is for approval

11/6

Secy

14/6

Place Soon

22/6

To

The Commissioner CCB

L 3120/CN 53-53 22 dt 24-6-54

Draft not to anticipate approval

25/6/54

Note—Contn Sheet

3895

CORPORATION OF THE CITY OF BANGALORE

Dep no 238/53 54
Regn 1/1/60

No A5/P R /27/53-54

CORPORATION OFFICES
BANGALORE

Dated 9th September 1953.

FROM

K HENJERAPPA, ESQ, B A B L
COMMISSIONER,
CORPORATION OF THE CITY OF BANGALORE.

SECRETARY TO GOVT
14 SEP 1953
BANGALORE

To

The Secretary to the Government of Mysore,
Local Self Government & Planning Departments,
BANGALORE

C M 53-53-9

SIR, SUBJECT - RENAMING MAVALLI CIRCLE AS "PATEL IMPIAH CIRCLE"

I write to state that Sri M Impiah on whose donation the Hospital was constructed in Mavalli, offered Rs 5,000/- in December 1951 for constructing a sprouting water fountain in the Mavalli circle subject to the circle being named as " PATEL IMPIAH CIRCLE' The Standing Committees (Works) and (Taxation & Finance) at their meetings held on 22nd January 1952 and 4th March 1952 respectively recommended the proposal The Corporation at their meeting held on 28th April 1952 accepted the recommendations of both the Standing Committees-vide copies of the resolutions enclosed The work is almost complete

& MAS

As per provisions of section 238 of the Corporation Act the Corporation "shall give names or numbers to new public streets and may subject to the approval of Government alter the name or number of any public street' In this case as the change of the name refers only to a circle and not to any street no reference was made to Government to obtain the approval But since a representaton against the changing of the circle from nearby 100 signatories was made to Government who have forwarded the same to me for disposal under their number No L 46888 dated 22nd July 1953, I request that the Government may be pleased to approve the resolution of the Corporation dated 28th April 1952 As soon as the entire work is finished and the approval of the Government obtained the name board will be put up in the circle

P T O

in the circle

Forwarded with compliments

P Hanumanthiah

(P Hanumanthiah)
MAYOR

Yours faithfully,

Jerangappa 9/9/53

(I Honjerappa)
COMMISSIONER

9/9/53

VTR 9/9/53

PROCEEDINGS OF THE MEETING OF THE CORPORATION OF THE CITY OF BAN
HELD ON THE 28TH APRIL 1952 3

40 Recommendation of the Standing Committee(Taxation and Fi 4th March 1952 and of the Standing Committee(Works) dated 22nd Jan 1952 approving the estimate for Rs 5,000/- for constructing an orna fountain and railings etc in the centre of Mavalli Circle near Min Talkies and that the doration of Sri M Kempiah for the above be accp with thanks and that the circle be named after the donor as "PATEL K CIRCLE"

Sri C Rajagopalachar moved the following resolution -

Resolved that the recommendation of the Standing Committee(Ta tion and Finance) dated 4th March 1952 and of the Standing Committee (works) dated 22nd January 1952, approving the estimate for Rs 5,000/- constructing an ornamental fountain and railings etc , in the centre Mavalli Circle near Minerva Talkies and that the donation of Sri M Ke for the above be accepted with thanks and that the circle be named aft the donor as "PATEL KEMPIAH CIRCLE", be approved "

Sri V K Govindarajulu seconded the resolution and it was pas

---- 0 ----

Sd/- G Abdur Rahman Khan,

DEPUTY MAYOR

" C O P Y ",

FOR COMMISSIONER,
CORPORATION OF BANGALORE

VKR 10/9/53 9/9/

4

PROCEEDINGS OF THE MEETING OF THE STANDING COMMITTEE(TAXATION & FINANCE) HELD ON THE 4TH MARCH 1952

---

4 Resolution of the Standing Committee(Works) dated 22-1-1952 recommending approval of the estimate for Rs 5,000/- for constructing an ornamental fountain and railings etc , in the centre of Lavalli Circle near Minerva Talkies and that the donation of Rs 5,000/- or Sri M Pompiah for the above be accepted with thanks and that the circle be named after the donor as 'Patel Pompiah Circle'

Resolution - Recommended that the proceedings of the Standing Committee (Works) dated the 22nd January 1952 be approved

Sd/-V I Govendarajulu,

Chairman,
Standing Committee,
(Taxation & Finance)

------- o -----

" C O P Y ",

N S Rao
FOR COMMISSIONER
CORPORATION OF BANGALORE

VIR 9/9/53

9/9/

5

MINUTES OF THE PROCEEDINGS OF THE STANDING COMMITTEE(WORKS) HELD AT 3P M ON TUESDAY THE 22ND JANUARY 1952xxTH AT THE CORPORATION OFFICES, BANGALORE CITY

6 Office note soliciting sanction to the estimate for Rs 5,000/-for constructing an ornamental fountain and railings etc in the centre of Mavalli Circle near Minerva Talkies and the circle may be named as "PATEL KEMPIAH/CIRCLE" and that the donation of Rs 5,000/-offered by Sri M Kempiah be accepted

Resolution - Recommended that the donation of Sri M Kempiah of Rs 5,000/- for the construction of a fountain be accepted with thanks and that the suggestion to name the circle after the donor as 'Patel Kempiah Circle' be approved

Sd/- B M Seenappa,

Chairman,
Standing Committee(Works)

---- o ----

'C O P Y '

FOR COMMISSIONER
CORPORATION OF BANGALORE

VKR 9/9/53

G R S App F G 3

GENERAL AND REVENUL SECRLTARIAT

(~~Continuation sheet draft form~~)

No. L 8682 /21-10-53

To

The Collector, C-e &
Chirayeeth (Via Mayyazhi)

Subject Renaming Mahe Circle as "Pathe Thaapuram Circle"

Sir

With Reference to your Cir. No. A 5.1 R2/27-53-Adm dated 9.12.53 on the subject I have directed to request you to return the original petition sent as per Circ's Memo No. L 4688 dated 22-7-53

Yours faithfully

for Secretary

Dec. 1953

WD 01417—GPB—25 000—3 11 52

147/C

CORPORATION OF THE CITY OF BANGALORE

No A5 P R 1.7/53-54 — re the original petition

CORPORATION OFFICES,
BANGALORE

Dated 4th May 1954

FROM

THE COMMISSIONER,
CORPORATION OF THE CITY OF BANGALORE,
BANGALORE

To

The Assistant Secretary to the Government of Mysore,
Local Self Government Department
BANGALORE

SIR

Subject - Renaming Mavally Circle as Patel Kempiah Circle

In reply to your o L 8682 dated 21st October 1953 on the above subject I enclose herewith the original petition sent along with your office memo o L 4688 dated 22nd July 1953 for favour of perusal as desired The receipt of this petition may kindly be acknowledged

Yours faithfully,

(illegible)

VLR 4/5/54

V DL Narahari Rao
VI H S Ramaswamy
VII M (illegible)
VIII (illegible)
IX (illegible)

157 VKV Chari
16) S K Subramanian
17) V Appaiah
18) C Sankaranarayana

8

OFFICE OF THE MINISTER FOR PUBLIC HEALTH & LOCAL SELF GOVERNMENT
23 JUN
No 634

BANGALORE CITY.

GENERAL & REVENUE SECRETARIAT
2185
1 JUL 1953
SECRETARIAT BRANCH

SECRETARY TO GOVT
2008
29 JUN 1953
LSGD DEPARTMENT

The Honourable Minister,

For Municipalities, In Mysore,

Bangalore

Sir,

We the residents of Mavalli beg to bring few following lines to your kind consideration and favourable orders

LSG Secy
19/6
ET/AS

Now there is a Fountain proposed to be erected in mavallicircle for which one Patel Kempaih is donated and in whose name the circle has to be named as we hear that he has donated for the formation of the Fountain

For very long time the circle is named as "Mavalli-Circle" but all on a sudden if the name is cancelled and named after the person who has donated it will not look nice, as we hear from all the residents of this locality

Hence we pray your honour to keep the same name as it was either to end if necessary there may be name board of the person on the side of the fountain who has donated

For this we are pray to have an inspection in the locality and take the requisition from the public before the name is changed for which act of kindness we shall ever remain greatful

Thanking you,

Yours faithfully,

I
II
III
IV
V
VI
VII
VIII
IX
X
10) H Thimmadevappa
11)
13)
14)
15)
16) K Gopalan
17) V Appaiah
18)

19)
20) M [illegible]appa

KVeerappa

N Nagappa

V. Srinivasaraju

B. V. Suryanarayana

Akrawabos

Narayana

Shankarappa

C Ramalinga Reddy

B-K Shamia

ER Balaraju

A S Sivarao

M Srinivas

M [illegible]

N Krishna Setty

[illegible]

V C. Swamy

AH/PR 83/53

Memo

Forwarded to the Executive Engineer for early report on the remarks of Commissioner below

3-AU-1953

for Commissioner

29/7

29/7

Memo no. 4688/22)-53

Forwarded to the Commissioner, Corporation of the city of Bangalore for disposal

for Secretary to Government
Local Self Govt and planning Dept.

11/7/53

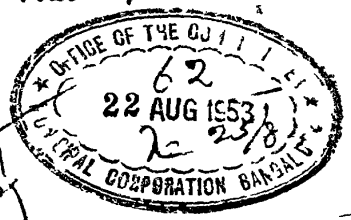
11

Sri Patel M Kempanah has donated a sum of Rs 5000/- for the erection of an ornamental fountain in Nayakkanahalli circle the Corporation has accepted the donation and has passed a resolution to name the circle as Sri Kempanah circle The fountain work is complete and for want of 50 cycles 3 phase current the fountain is not yet put on to operation the name board of Sri Kempanah's circle is not yet fixed on the spot for want of information

E3 (1) 25-46/11 (c)
Note 2

4/8-63

Memo



23/8

Sri Kempanah's Circle

Sri Patel M Kempanah has donated a sum of Rs 5000/- for the erection of an ornamental fountain in Nayakkanahalli circle The Corporation has accepted the donation and has passed a resolution to name the circle as Sri Kempanah's circle The fountain work is complete and for want of 50 cycles 3 phase current the fountain is not yet put on to operations the name board of Sri Kempanah's Circle is not yet fixed on the spot for want of information

Ref upon by Silentech matter Dy C 7/8/63

For favour of information The corporation in their meeting held on 28/4/1952 have approved of the names of the Nayakkanahalli circle as "Patel Kempanah's Circle" vide letter No [illegible] 29/4/53 addressed to the Party on M Kempanah (Flag A)

Engineer

Dy C

Supdg Engineer

Dy 18/8/63

Govt order is not received still

Dy C 19/8/63

There is a resolution of the corporation, but not yet approved by govt

Comm/Clerk 20/8/63

Awaiting approval of govt & then draft action will be given

4/8 - 4/8 D
12/8 12/8 D
19/8 19/8 D
21/8 21/8 D
22/8 22/8 D
26/8/63 26/8/63 D

A5-PR 127/53-4 Dy 248

Memo

Returned to the Corporation Engineer see 238(1) of the C A indicates that sanction of Govt is necessary only in cases of giving names or numbers to new public streets or to alter the name or number of any public street As such it is a point for consideration whether changing the name of "Nayakkanahalli circle" as Sri Patel Kempanah Circle requires sanction of Govt

Commissioner 26/8

12

G S App F VI—G 2]

SUBJECT

Diary No of letter replied to 920

General and Revenue Secretariat

( )

he *19*

5 copies

Section GM

File No S 3-53

Serial No 21

Proc edings of the Government of Mysore

Date of issue 195

Signed by

May this be—

( ) pr ted

(i) treated as a standin order ?

(iii) pu lished in the Gazette English Part ?

(v) translated ?

(v) placed at th e di posal of the Press

(vi) published in th e Gazette Kannada Part ?

Read— Correspondence ending with letter no AS PR 127/54 dated 4-5-54 from the Commissioner recommending approval to the action taken in pursuance of the Resolution Order thereon —No No 40 dated 28 4 1952 of the C C B to name Kabali circle" as "Kabali Kempiah Circle" in the Circulars dated

Order No L 2077-9 28-5-54

No action taken

is affirmed

It would have
been better if the
Corporation had sought
prior approval of Government
as required by law.

Separate letter
may be sent

[illegible] 2015

the Secretary to Govt
Govt [illegible]

Yours Commissioner etc Regd to Mayor

cc Controller

cc D.C Bangalore

List of Enclosures

[illegible]

Copied by

Examined by

W D 02199—GPB—10 000 —12 1 53

15

Appendix F G—1] Renaming Kavalli Circle as Patel Kempiah Circle

SUBJECT

Section GN

14

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

Correspondence ending with letter No A5.P.P.127/53-4 dated the 4th May 1954 from the Commissioner, Corporation of Bangalore recommending approval to the action taken in pursuance of the resolution No 10 dated 28th April 1952 of the Corporation of the City of Bangalore to name "Kavalli Circle" as "Patel Kempiah Circle" in the circumstances stated.

ORDER No.L.2077-91/GM 53-53 21

DATED, BANGALORE, THE 25 MAY 1954.

The action taken is approved.

(V. Thimmanthappa)
for Secretary to Government,
L.S.G. & Planning Departments.

To

The Commissioner, Corporation of the City of Bangalore, (through the Mayor)
" Deputy Commissioner, Bangalore District,
" Controller, State Accounts Department.

Lks 5.27/5.

Is affirmed

It would have

been [illegible]

Corporation

Prior aff

as regs

to letter immediately

15

Appendix F G—1]

SUBJECT Renaming Kavalli Circle as Patel Kempiah Circle

Section CN
File No 53-53
Serial No 22

Diary No of letter replied to 920

Mysore Government Secretariat

( )

the *195*

No L 3128
To 24-6-54

The Commissioner &
Ex-officio the Mayor

Sir,

Date of issue

Signed by

Dr. Ambedkar

I am directed to state that Government in this behalf has been sought only when a petition praying against the renaming have forwarded to the Corporation

List of enclosures

Copied by

observe

that you have stated that as per provisions of Section 238 of the Corporation Act

Examined by

the Corporation shall give
names or numbers to the
new public streets and may
subject to the approval of Government
alter the name or number of
any public street and there in
case as the change of the
name refers only to a Circle
and not to any street
no the
sanction to obtain approval
~~A distinction it is also stated~~
~~that this is a Circle and therefore~~
~~sanction of Government not~~
I am to state that the
~~necessary.~~ word public street
means any street, road, square
Court, alley, passage, or riding-path
over which the public have a right
of way whether a thoroughfare
or not and includes the roadway &c
the word 'Square' in this definition

M G S App F G 3

MYSORE GOVERNMENT
SECRETARIAT

(Continuation sheet draft form)

Can be taken to include a circle Where Seven to propose gro square Junction to change the name of any old Circle or square Junction of Government is necessary

~~Should the objection~~ ~~petition have forwarded to the Corporation CR 227-53~~ ~~the Planning Secretary has taken place on 6-3-54~~ ~~knowing the nature objection and therefore~~ The Corporation has no power to change the name or number of ~~any~~ of the public Streets without previous sanction of Government

Secondly the Corporation has performed the renaming function even before the disposal of the petition.

This is an encroachment

WD 03046—GPB—10 000 —14 8 53

encroachment upon the
Powers of the Government
Seem timeframe
to point out that Corporation
should not anticipate approval
of Government in matters
in which Government have a discretion
to pass orders and take a decision
in anticipation of approval
His Lordship may kindly be
advised in time. ~~as the trial incentives~~
~~get compromised~~

X X

Y.K. 22/6
~~Asst~~ Secretary K.S.P

C.M.
16/6

22/6/84

19

L 3128/CM 53-53-22

Municipal Branch,
24 June 54

The
L S G & Planning Departments

To

The Commissioner,
Corporation of the City of Bangalore,
(through the Mayor)

Sir,

Subject - Renaming Mavalli Circle as Patel Kempiah Circle

In continuation of Government Order No L 2077-9/CM 53-53-21 dated the 28th May 1954, I am directed to observe that you have stated that as per provisions of section 238 of the Corporation Act, the Corporation shall give names or numbers to new public streets and may subject to the approval of Government alter the name or number of any public street and that in this case as the change of the name refers only to a Circle and not to any street, no reference was made to Government to obtain approval I am to state that the word public street means any street, road, square, court alley, passage or riding-path over which the public have a right of way whether a thoroughfare or not The word 'square' in the definition can be taken to include a circle which serves the purpose of a square Therefore to change the name of any old circle or square, sanction of Government is necessary

2 The Corporation has no power to change the name or number of public streets without previous sanction of Government Secondly the Corporation has performed the renaming function even before the disposal of the petition This is an encroachment upon the powers of Government

3 I am therefore to point out that Corporation should not anticipate approval of Government in matters in which Government have a discretion to pass orders and take action in anticipation of approval

Yours faithfully,

2346

(V Hanumanthappa)
for Secretary to Government,
L S G & Planning Departments